

REMARKS

Status of Claims

Claims 37, 41, and 42 are canceled, claims 38 and 39 are each rewritten in independent form, claim 43 is amended, and new claims 99-118 are presented. As a result, claims 38-40 and 43-118 are pending. The Examiner allowed claims 49-98 in the previous Action.

New claims 99-118 are related to claims 1-4, 6-11, 13, 15-16, 18-21, 23 and 25-26 of U.S. Patent 6,759,984 to Wielsma. Although the '984 patent issued more than one year prior to the present date, claims 99-118 are not barred under 35 U.S.C. § 135(b)(1) because claims 99-118 are not the same as, or directed to the same or substantially the same subject matter as, claims 1-4, 6-11, 13, 15-16, 18-21, 23 and 25-26 of the '984 patent. Specifically, claims 99-118 are directed to mobile phones including antenna structures and printed circuit boards disposed therein, while claims 1-4, 6-11, 13, 15-16, 18-21, 23 and 25-26 of the '984 patent are directed to the antenna structures and printed circuit boards themselves.

No new matter is entered by this Amendment.

Interview Summary

Applicant thanks the Examiner for the courtesies extended during an interview at the Office on January 18, 2007 with the undersigned attorneys. During the interview, the Examiner agreed to withdraw the outstanding rejections in view of the arguments presented below, and the amendment to claim 43.

Claim Rejections: 35 U.S.C. § 102

Claims 37-48 were rejected under 35 U.S.C. as reciting subject matter anticipated by U.S. Patent 6,057,803 to Kane et al. ("Kane").

In response, Applicant has cancelled claims 37, 41 and 42 and amended claim 43, and asks the Examiner to reconsider and withdraw the rejection as to claims 38, 39, 40, and 43-48 for the following reasons.

Claim 38

Claim 38 includes the limitation that “the PCB is apertured *adjacent to* the element.” (Emphasis added.) The Examiner cited Kane Figure 29 in previously rejecting this claim as anticipated by Kane. However, in Kane Figure 29 the aperture 294 is located *in* the element (which extends to include the diagonally-lined portion of Figure 29) and not adjacent to it. Accordingly, Kane does not anticipate placing an aperture *adjacent to* the element, and this claim should be allowed.

Claim 39

Claim 39 includes the limitation “an antenna ground plane comprising a plurality of vias connecting *ground plane regions on respective PCB layers.*” (Emphasis added.) The Examiner cited Kane claim 2 as teaching “the use of a ground plane facing the antenna and the apertures defining the common vias between board layers are connected to the ground plane.” However, Kane claim 2 does not disclose *a plurality of ground plane regions disposed on the PCB layers.* (Nor does Figure 29 disclose this feature.) Accordingly, Kane does not anticipate “an antenna ground plane comprising a plurality of vias connecting ground plane regions on respective PCB layers,” and this claim should be allowed.

Claim 40

Claim 40 combines the limitations of claims 38 and 39 and so is allowable over Kane for the reasons given above.

Claims 43-48

Independent claim 43 (and dependent claims 44-48 which depend therefrom), *as amended*, require “a mobile phone including an antenna disposed therein.” While Kane discloses “car-mounted antenna apparatus, for example, *for* AM broadcasting, FM broadcasting, TV broadcasting and radio telephones,” (col. 1, lines 5-7) (emphasis added), Kane does not disclose the antenna being disposed *in* the radio telephone, as opposed to being mounted elsewhere in the vehicle for use *for* the telephone. There is no suggestion in Kane that the antenna designs disclosed by Kane are to be used as parts of mobile telephones themselves, as opposed to being external adjuncts which can be used in combination with mobile telephones. Hence claims 43-48 should be allowed.

CONCLUSION

In view of the above remarks, Applicant believes pending Claims 38-40 and 43-118 are in condition for allowance. (The Examiner allowed claims 49-98 in the previous Action.)

Applicant invites the Examiner to contact the Applicant’s Attorneys if questions arise regarding this Response or if issues remain prior to allowance.

Respectfully submitted,

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